

STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2023-078

COMPLAINT FORM

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210
TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: Chardale Murray
ADDRESS: [REDACTED]
TELEPHONE NUMBER: [REDACTED]
TITLE: Former Town of Hollywood Council Member

Section 8-13-1308, S.C. Code Ann., 1976, as amended, requires candidates to file Campaign Disclosures within ten (10) days of receiving or expending \$500; fifteen (15) days prior to each election; within ten (10) days of the end of each quarter; and a final report when the campaign account is closed. In addition, certified campaign reports detailing campaign contributions and expenditures must contain the total of contributions accepted, the name and address of each person making a contribution, the total expenditures made by or on behalf of the candidate or committee, and the name and address of each person to whom an expenditure is made from campaign funds. Pursuant to Section 8-13-1362 and Regulation 52-504 (C), the Pre-Election and quarterly report are required even when there have been no contributions or expenditures.

Records of the State Ethics Commission indicate that a Campaign Disclosure was due no later than October 10, 2019, July 10, 2021, October 10, 2021, January 10, 2022, April 10, 2022, July 10, 2022, October 10, 2022, January 10, 2023, and April 10, 2023. Respondent was sent an email reminder thirty days before each Campaign Disclosure deadline from April 2019 through October 2021 and was sent an email reminder thirty days before and ten days before each Campaign Disclosure deadline after October 2021.

Respondent was reminded of the filing requirements by a certified letter dated July 27, 2022 as described in the attached. To date, a properly completed Quarter 3 2019, Quarter 2 2021, Quarter 3 2021, Quarter 4 2021, Quarter 1 2022, Quarter 2 2022, Quarter 3 2022, Quarter 4 2022, and Quarter 1 2023 Campaign Disclosure have not been received. All in violation of Section 8-13-1308(B) and Section 8-13-1308 (F), S.C. Code Ann., 1976, as amended.

If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record.

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me Meghan Walker Dayson who, first being duly sworn, says that she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this 19th day of May, 2023

[REDACTED]
Meghan Walker Dayson, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires 01/22/26

SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
ELECTRONIC COPIES WILL NOT BE ACCEPTED

STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2023-078)	
)	
State Ethics Commission)	NOTICE OF HEARING
Complainant.)	
)	
Chardale Murray)	
Respondent.)	
_____)	

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, February 20, 2025 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

COUNT ONE
FAILURE TO FILE A CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(B), S.C. CODE ANN., 1976, AS AMENDED

That Chardale Murray, former Hollywood Town Councilmember, did in Richland County, fail to file a Quarter 3 2019/Final Campaign Disclosure Report, in violation of Section 8-13-1308(B).

COUNT TWO
FAILURE TO PROPERLY DISBURSE UNEXPENDED CAMPAIGN FUNDS
SECTION 8-13-1370, S.C. CODE ANN., 1976, AS AMENDED

That Chardale Murray, former Hollywood Town Councilmember, did in Richland County,

fail to properly disburse unexpended campaign funds when closing the campaign bank account, in violation of Section 8-13-1370.

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976, as amended, the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.


Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 22nd day,
of July 2024.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Chardale Murray, 5791 Tide Road, Hollywood, SC 29449 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 31st day of July 2024, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant

Columbia, South Carolina

State Ethics Commission

(803) 253-4192

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2023-078)
State Ethics Commission,)
Complainant,)
Chardale Murray,)
Respondent.)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on May 19, 2023. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Chardale Murray (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to the following:

STATEMENTS OF FACT

1. Respondent was a successful candidate for Hollywood Town Council (Council) in a June 4, 2019 election. Respondent failed to file any Campaign Disclosure Reports (CDRs) prior to her election.
2. Following the election, Respondent filed an Initial CDR on July 3, 2019 showing no contributions or expenditures. She amended the Initial CDR on July 10, 2019 to show a balance of \$417.64 in on-hand contributions.¹ Respondent thereafter failed to file any CDRs until filing a Quarter 1 2020 CDR on March 31, 2020, revealing no contributions or expenditures.
3. In a July 27, 2022 certified letter, the Commission notified Respondent, in part, of her failure to file a Quarter 3 2019 CDR.
4. According to the United States Postal Service, the certified letter was delivered on August 1, 2022 at 10:54 a.m. The return receipt does not appear to contain Respondent's signature.

¹ On May 24, 2024, following the filing of the Complaint, Respondent once more amended her Initial CDR to show a balance of \$1,050.00 in on-hand contributions.

JX #1

5. Following the filing of the Complaint, the Commission's investigation revealed that Respondent opened a campaign bank account on April 16, 2019 with a \$1,000.00 deposit.² Respondent closed her campaign bank account on August 3, 2019 by withdrawing \$185.81 in cash, making Quarter 3 2019 CDR her last required report.
6. On May 24, 2024, Respondent came into compliance by filing a Quarter 3 2019/Final CDR.

CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a "candidate" pursuant to Section 8-13-1300(4). Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1308(B) provides, in relevant part:

Following the filing of an initial certified campaign report, additional certified campaign reports must be filed within ten days following the end of each calendar quarter in which contributions are received or expenditures are made, whether before or after an election until the campaign account undergoes final disbursement pursuant to the provisions of Section 8-13-1370.

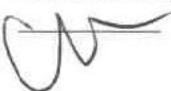
3. Section 8-13-1370(A) provides, in relevant part:

Contributions received by a candidate that are in excess of expenditures during an election cycle must be used by the candidate upon final disbursement: (1) to defray ordinary and necessary expenses incurred in connection with his duties in his public office; (2) to be contributed to an organization exempt from tax under Section 501(c)(3) of the Internal Revenue Code of 1986, a political party, or a committee; (3) to be maintained in the campaign account for a subsequent race for the same elective office; (4) to further the candidacy of the individual for a different elective office. However, after December 31, 1992, the funds must be used in a campaign for a different elective office only as provided for in Section 8-13-1352; (5) to be returned pro rata to all contributors; (6) to be contributed to the state's general fund; or (7) to be distributed using a combination of these options.

4. Section 8-13-1510(A) provides, in relevant part:

... a person required to file a report or statement under this chapter who files a late statement

² Due to the campaign bank account's opening balance, Respondent's Initial CDR was due by April 26, 2019. Respondent was also required to file a Pre-Election CDR between May 15, 2019 and May 20, 2019 and a Quarter 2 2019 CDR by June 10, 2019. Respondent did not timely file these CDRs. The late-filing penalties with regard to these CDRs are being handled by the Commission's typical non-compliance process and therefore not addressed herein.



or report . . . must be assessed a civil penalty as follows: (1) a fine of one hundred dollars if the statement or report is not filed within five days after the established deadline provided by law in this chapter. . . .

5. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.
6. Section 8-13-320(10)(1) allows the Commission to assess a \$2,000.00 civil penalty for violations of the Section 8-13-1370 of the Ethics Act and permits the Commission to require the forfeiture of any profits obtained in violation thereof.

DISCUSSION

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-1308(B) for failing to file a Quarter 3 2019/Final CDR and one (1) count of violating Section 8-13-1370 for failing to properly disburse unexpended campaign funds when closing her campaign bank account. Through this Consent Order, Respondent acknowledges she violated the Ethics Act in these instances. In mitigation, Respondent states that the June 4, 2019 Council election was her first run for elected office and that she had no previous experience with the state’s campaign finance regulations. Respondent further asserts that she opened her campaign bank account with personal funds, which she intended to be a campaign loan, and maintained the bank account for less than four months before withdrawing the remaining balance. Additionally, Respondent states that her withdrawing the remaining \$185.81 was intended to be a partial reimbursement of the funds that she intended to loan to her campaign. Finally, Respondent asserts that she did not receive the Commission’s July 27, 2022 certified notice of her failure to file a Quarter 3 2019 CDR. The Commission acknowledges that the return receipt does not appear to contain Respondent’s signature.

DISPOSITION

1. The Commission finds Respondent in violation of one (1) count of 8-13-1308(B) and one (1) count of 8-13-1370.

JX #3

2. The Commission adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues this Public Reprimand and orders Respondent to pay the Commission, within one (1) year from receipt of this Order, a late-filing penalty of \$100.00 and an administrative fee of \$600.00, for a total of \$700.00.

The Commission further orders Respondent to pay \$185.81 to the Children's Trust Fund and to provide proof of such payment to the Commission within one (1) year from receipt of this Order. In consideration of Respondent's mitigation, the Commission declines to assess a civil penalty for the violation of Section 8-13-1370 provided Respondent remits the \$185.81 to the Children's Trust Fund as described herein. Should the Respondent fail to remit the \$185.81 to the Children's Trust Fund as described herein, the Commission shall assess a civil penalty of \$1,000.00.

By executing this Consent Order, Respondent understands that she is confessing to a judgment of \$1,700.00 if she does not make payment as provided for in this Order, in which case the Commission shall file a Judgment against Respondent with the County Clerk of Court in Respondent's last known County of residence, who shall enter this Order in the amount of \$1,700.00 (less any money paid) in its Judgment Rolls, without cost to the Commission

AND IT IS SO ORDERED THIS 23rd DAY OF January 2024.

STATE ETHICS COMMISSION

[Redacted Signature]

F. XAVIER STARKES, CHAIR

[Redacted Signature]

CHARDALE MURRAY
RESPONDENT

[Redacted Signature]

DAVID SAVAGE
RESPONDENT'S ATTORNEY